

# House Study Bill 653 - Introduced

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON SWAIM)

## A BILL FOR

- 1 An Act prohibiting magistrates from acting as counsel in
- 2 certain cases.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.1605, Code 2009, is amended by adding  
2 the following new subsection:

3     NEW SUBSECTION.   3.   Notwithstanding subsection 2, a  
4 magistrate shall not appear as counsel for a client in any  
5 criminal or delinquency proceeding in any court within the  
6 jurisdiction of the magistrate.

7	EXPLANATION
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8     This bill relates to a magistrate acting as counsel for  
9 clients in the jurisdiction of appointment.

10 The bill prohibits a magistrate from appearing as counsel  
11 for a client in any criminal or delinquency proceeding in any  
12 court within the jurisdiction of the magistrate. Current law  
13 requires cases where a magistrate appears as counsel within  
14 the jurisdiction of the magistrate to be heard by a district  
15 associate judge or district judge.